

Witness Name: **C150**

Statement No. 1

Exhibits: **C150, 1-3**

Dated: 5-16-07

THE ROSEMARY NELSON INQUIRY

Witness Statement of **C150**

I, **C150**, will say as follows:-

1. I am a resident of the Kilwilkie Estate in Lurgan. I have known Rosemary Nelson on both a professional and social basis since I was aged 14.
2. Socially, I knew Rosemary from traditional Irish folk dances which she loved to attend. I am part of a local Irish traditional music group and play the whistle and guitar. I would often play at events where Rosemary was present. In addition, if Rosemary was having a do at home for her friends, I would often be asked to play. As a result, I knew Rosemary and her family pretty well.
3. In addition, Rosemary Nelson was my lawyer and had represented me in relation to a number of cases of harassment from the police and security forces which I detail below. Harassment was commonplace both before and after Rosemary Nelson's death and I would often be subject to one or two cases of harassment every day. A number of these cases were so severe that I made formal complaints and claims. These cases are those which I detail in this statement.

Army Checkpoint

4. In 1996, I recall that on one occasion I became aware of massive security presence on the Kilwilkie Estate near where I lived. Army and police were everywhere, searching houses and gardens and making arrests. I decided that I did not want to be around, as I had not been in trouble with the police at any stage in my life. Instead, **C158**, and I decided to drive into town. On the way out of the Kilwilkie Estate we were stopped at a checkpoint on Moss Street. The police searched my car and then let us proceed on. However, once we were in town my wife advised me that she had forgotten her purse and so we had to return home. I decided to turn back via a different street because I did not want to go through the same checkpoint twice.
5. On William Street, outside the Courthouse Pub, we were stopped by a soldier. I was later advised by a third party that before stopping me the soldier had said: "*Here's a fucking **C150** coming*". I stopped next to the soldier.
6. The soldier asked me: "*Where are you going and where were you coming from?*" I replied that I was coming from home and heading back to home. Before I could explain the circumstances, the soldier forcibly pulled me out of the car. He told another soldier to get my wife out of the car. I therefore jumped over the bonnet of the car and got between the soldier and my wife to prevent her from being pulled out. I recall that a soldier was pressing into me with his shoulder but I successfully stopped him from removing my wife from the car. When this was happening the soldier ordered his colleagues to place their helmets next to the wheels of my car so that I could not drive away.
7. The reason I did not want my wife to leave the car was because I did not want my wife to be searched by a male. If a female had been present I would have been happy for my wife to be searched. I also told the soldier who had pulled me out of the car that I would not allow my car to be searched. I was entitled to do so because although the army had

rights of search, the individual being searched can request police presence. I therefore asked for the police to attend.

8. At this point, the soldier who had stopped me had got hold of a letter which had been in the car which was from the DSS. It was a Government letter and concerned a loan application which I had made for Christmas which had been refused. I told the soldier that it was a Government letter and that it was nothing to do with him but he showed me an article which he said gave him powers to read whatever he wanted to check for terrorist activity. It was clear to me that the letter did not contain anything to do with terrorism because it was a Government letter. However, the soldier nevertheless read the letter and then read it out in a loud voice for everyone to hear. Understandably, my wife was devastated and I was also unhappy. It was the embarrassment of everyone knowing our business that concerned us.
9. The soldier then told me that he would arrest me if I did not allow my car to be searched and asked one of his colleagues to call for a Landrover. I told him that I would not get into the back of a Landrover and the soldier backed down and instead called the police as I had requested.
10. After about 10 minutes the police arrived - a policeman and a policewoman. The first thing the policewoman asked was what the helmets were doing under my car. The soldier said that they had been placed there to prevent the car from driving off. This was not the case as the helmets had been placed there when I was not in the car. The policewoman ordered the soldier to remove the helmets which he did.
11. The soldier then advised the policewoman that I had assaulted him and that this was why I was being arrested. I told the policewoman the true story which is outlined above. There was also a witness, a girl from the fire place shop, who corroborated what I had said. The soldier then advised that he would drop the charges provided he could search

the car. I was prepared to do so as the police were now present and this then took place.

The search found nothing in my car and I was allowed to leave.

12. Following the search, I asked for the patrol unit's gold card which was the identification tag for the patrol and the soldiers gave it to me. I did so so that I could make a complaint against the patrol. I then came straight up to Rosemary Nelson's offices and made a statement outlining the events.
13. When I arrived, Rosemary told me I should have sent someone to come and get her because she was only just up the road on William Street. I had thought about doing so at the time but I did not want her to get involved. I was concerned that she would have had comments made against her if she had come down the road to help. You often heard comments made by the police or army such as "*Provie Rosie*" or comments made in relation to Rosemary's face which was disfigured. I think that the army and police made these comments to try to get her mad or riled up. Rosemary never did get mad. I think this was probably because Rosemary had heard every comment that could have been made whilst at school.
14. I instructed Rosemary in relation to this complaint. Following giving a statement to Rosemary, I went up to the police station to make a formal complaint and provided them with the gold card I had obtained from the unit. Later, I received a letter from Rosemary which said that the police had no record of attending the incident in question or of the gold card I had handed to them. As a result, I did not have enough of a case to go to court and the claim was therefore settled for £2,500. This was typical of a number of cases which were settled prior to court.
15. As stated above that on a number of occasions I heard the police or army make negative comments about Rosemary Nelson. On one occasion, I attended Lurgan Police Station to complain that they were interviewing my cousin [REDACTED] without a solicitor being present. I recall that the Sergeant who was in charge, Sergeant [REDACTED], told me to

go and get "Provie Rosie". I believe that Sergeant [REDACTED] has now been made an Inspector. I think this is a disgrace. I did not tell Rosemary about this incident because I did not feel that she needed to know. That said, when she attended Garvaghy Road for the marching season Rosemary took much worse flack than this.

Superdrug

16. On another occasion, I was in town shopping when I saw Sergeant [REDACTED], who was parked in a police vehicle. He saw me and I then saw that he seemed to be talking on the radio to a patrol which was coming down the street towards me. To avoid any trouble, I went into Superdrug. However, one of the policemen followed me into Superdrug asked me "[REDACTED] [for Mr [REDACTED]], what's your name?" I told him "You know what my name is". The policeman repeated the question and I eventually provided my name and address. The policeman then let out a loud laugh and left. He made me feel like I was a shoplifter.
17. I decided to go down and see Rosemary to tell her what happened and she got one of the girls to take a statement from me and told me to go down to the police station to make a complaint. My daughter Tracey worked for Rosemary at that time and she accompanied me to the Police Station. As we walked up to the police station, we walked past a soldier carrying a rifle. He cocked the rifle and said 'bang' as we went past. I returned to see Rosemary about this and made a fuller statement which was then filed as a formal complaint.
18. In Court, I was asked to pick out the policeman who had questioned me in Superdrug and the soldier who had cocked the rifle at me. Both individuals were in Court and had been sat in the same place all morning. However, when I went to pick out the policemen and soldier, they had moved and I had to search for them in the courtroom. The police's barrister tried to make out I did not know which person had done it. I managed to locate the policeman who had approached me in the shop but I couldn't locate the man who had

cocked the rifle at me. This is because he was stood behind me. I could not believe that the judge was allowing the policemen to move around like that.

19. The barrister then advised the judge that I was an IRA suspect. This was rubbish. As stated above, I have never been arrested and the RUC has issued me with a firearms certificate. It would not have done so if I was an IRA suspect. Nevertheless, the judge threw out the case. Rosemary Nelson wasn't present at court. I was represented by a Junior Barrister.

- ██████████
20. When I was in Rosemary's office in relation to the rifle cocking incident detailed above, one of the girls who worked at her offices ran up the stairs and came in to see us. She said that the army had put my son, ██████████, through the hairdresser's window which was further down William Street near the railway station. Rosemary and I got up and ran down the stairs to see what was happening. As we did so, ██████████ and ██████████ ran into Rosemary Nelson's offices. We met in the hallway. ██████████ and ██████████ explained that ██████████ had been thrown through the hairdresser's window and ██████████ had been held up by his neck against a wall by soldiers. As we were discussing this, ██████████ pointed out a soldier across the road and said "*That was the one that did it*". Rosemary and I then left the office and approached the soldier. As we approached him, the soldier stated to me "*I'd fucking do the same to you*". Rosemary Nelson then approached the soldier and stated "*I witnessed you threatening C150*". I think if Rosemary had not got ahead of me at that point and said that to the soldier, I would have attacked him. I was that angry.

21. Rosemary and the soldier were face to face, only a couple of feet apart from each other. I was stood slightly behind Rosemary. The soldier then said "*You know what I've fucking got in line for you, I'm going to nut you*", or words to that effect. I told the soldier that "*I heard you threatening Rosemary Nelson*". It is quite sinister how the soldier made these

remarks to Rosemary. He was right in her face but kept his voice quite calm. I do not think anyone but Rosemary and I could have heard what he said because he was so close to her. Rosemary did not respond to the soldier's remarks and instead we backed away and made statements in her office. I think I made another statement at the police station when I made a formal complaint concerning the incident.

22. The soldier involved was quite small, stocky and had a full face. I had not seen him before. The patrol that he was part of was not on a patrol route that I knew of. At that time, all the army patrol units in the area had a nickname. It was not one of those.
23. I think that Sergeant [REDACTED] and another police officer, Constable Crone were involved in the decision to stop [REDACTED] and [REDACTED]. I think they made statements to that effect.
24. I remember that afterwards when we were inside Rosemary's offices, Rosemary and I discussed what had happened, I said that it was ridiculous what the soldier had said to her. I do not think that Rosemary responded. It was clear to me that she was used to that kind of abuse.

Rosemary Nelson's Murder

25. After the incidents detailed above, I do not think that I had needed Rosemary's legal services for some time. In the years prior to her death, I think I was maybe in her company three times, playing music at her home. I had certainly not seen her for a few weeks prior to her death. When I did see her she was no different from normal and there was no hint of anything that might have been on her mind. On each occasion, there were maybe 10 or 12 guests at her house.
26. I was present at the murder scene shortly after Rosemary's car exploded. I recall that I had been on my way to pick up my son from a residential development site which was behind Rosemary's house on Ashford Grange. Shortly before mid-day, I had come out of the Kilwilkie Estate onto Lake Street and when I had got up to the top of the hill by the

School I saw the car wreck. It was obviously Rosemary's car. I knew this because it was a silver BMW and was quite distinctive. However, I had not heard any explosion.

27. I think that I spoke to some fellas who were by the side of the road and asked what happened. I do not think they really knew what was happening and they just repeated that it was Rosemary. I parked my car and then walked down towards Rosemary's car. The location where I parked is marked A on **RNI 833.116** attached. About half way between where I had parked and Rosemary's car, I saw her handbag in the middle of the road and I picked it up. Her handbag was open but its contents did not appear to be disturbed. I did not look inside it. As I got closer to the car, I saw Rosemary's umbrella on the ground. I picked this up as well. As I approached Rosemary's car it became clear that she was still conscious and she looked round to me. However, I could not go near to her such were her injuries.
28. The only people near the car were a man who was with Rosemary next to the vehicle. He seemed to have a medical bag and I thought he was a paramedic. He seemed to be treating Rosemary. On the other side of the road at the end of Rosemary's street, marked B on **RNI 833.116** was Nuala McCann. I recognised her from Rosemary Nelson's office. She was screaming.
29. At this point, I think the police must have arrived. They came from the other end of Lake Street. A policeman approached me and told me I was walking over a crime scene and took Rosemary's handbag and umbrella off me. I don't know the policeman was. Soon, the area was full of emergency services - police, fire brigade and ambulances. A cordon was set up next to the school gates and I was placed behind the cordon. A massive crowd quickly gathered from the Kilwilkie Estate and I think that my wife had come down and that I met her at that point.
30. I thought that I should go home as I thought that there might be trouble but my car was still inside the cordon. I asked a soldier if I could get my car out and he said that I could.

My wife and I therefore got into my car and the soldier lifted the cordon ribbon to let me out. As I was leaving, I was stopped by two army Landrovers on the junction of Lake Street and the North Circular. The soldiers wanted to search the car and I got out to open the boot. The soldier did not search the boot. Instead, he got down and looked under the car and remarked "*Jesus, the bomb we'd put under here must have fallen off*". All the other soldiers who were stood around the car laughed. I'm not sure how many there were but there were a few. I got back into the car and drove off. In retrospect, I do not think this was an official checkpoint. I think the soldiers were there just watching to see what happened in relation to the crowd that had gathered. It was clear to me they were waiting for the crowd to erupt.

31. Once I got back to my house, I realised that my daughter, [REDACTED], and my son, [REDACTED], were still at the scene and I thought I should get them out of there. I therefore walked down with my wife to collect them. I walked out of the Kilwilkie Estate via Kilwilkie Gardens and as I did so, three Landrovers passed us. The second Landrover slowed as it passed me and the back door opened just enough so that the occupant could throw a doll out. The doll had no legs. The soldier who threw out the doll said to me "**C150** go and scrape her off the street" or "**C150** go and cut her out" or words to that effect. The Landrovers were driving away from the scene. They may have been the same Landrovers that stopped me earlier on the same day. However, I am not sure.
32. I made no complaint about these incidents. This was because the rest of the day was really hazy. I do not really remember coming back home but I must have done. Even afterwards, I am not sure exactly what happened. I think that a riot had started but was quickly stopped after Rosemary Nelson's father had come out and asked for it to stop. The same rioters cleared the street to allow her funeral to take place later that week.

Documents

33. I have been shown a number of documents which I have prepared in relation to this matter. The first document I was shown is a statement given by myself dated 29th October 1997. A copy is attached at **RNI 833.117-118**. This relates to the Superdrug incident detailed above. I have reviewed this statement and I am satisfied that it is correct.
34. The second statement I have been shown is dated 28th March 2000. A copy is attached at **RNI 215.103-107**. This is a statement which I gave to the Port Inquiry who were investigating Rosemary's murder. This statement isn't entirely accurate. The statement records the events which took place on the day of her murder in the wrong order. This statement says that the incident in relation to the doll took place first and prior to me going through the checkpoint. I am certain that this is not the case and that it was the other way round. In addition, I identified the individual who stopped the car as being the same individual who was involved in the incident on William Street with my son, [REDACTED], Rosemary and myself. I am now not sure if this is the case. It may have been him but I cannot be certain.
35. This statement was made in Lurgan police station but the RUC was not involved. After I made this statement, I left the station with two members of the Port Inquiry Team. As I walked out, every policeman who I passed stopped and looked at me.
36. About two days later, a neighbour came around and advised that an individual called Inspector [REDACTED] had telephoned him to advise that the Red Hand Defenders had been outside my house, had noticed a security camera and made a death threat in relation to my son, [REDACTED], through the Samaritans. I telephoned the police station and asked to speak to Inspector [REDACTED]. He advised that the death threat should be taken as being made against the whole family and advised that I should step up my security.

37. As this was only two days after I had given my interview to the Colin Port Team, I had no doubt this threat related to my statement concerning Rosemary Nelson. I contacted the Colin Port Team who agreed to investigate the death threat. They later confirmed that the threat was genuine.
38. There was in fact no security camera outside my house. However, as a result of this threat I installed one. The day after it was installed I received a call from my daughter who was in hysterics because there were army Landrovers outside the house with guns pointing at her. In fact, the soldiers were looking through the sights of their rifles at the camera. [REDACTED], however, didn't know what to think. At that point I took the camera down and moved it to a prominent location. Anyone who went past the front or back of our house is now caught on film.
39. As a result of this death threat, I also sent a 47 page dossier to Amnesty International, the Foreign Office in Dublin, the Pat Finucane Centre in Derry and another solicitor based in Lurgan containing details of police harassment of myself and my family which is to be disclosed if anything happens to me or [REDACTED].
40. I have been asked to comment on why I thought it was Rosemary that had been targeted. Rosemary was from the Kilwilkie Estate and was born and raised there. Her family still live nearby today. She went to the local school and was known by everyone. When she opened her practice in Lurgan, everyone went to her. It made sense, you would go to your own. The other solicitors did not know what hit them.
41. She was very dedicated and never said 'no' and I think some people took advantage of that. She had a very high profile case for the Colin Duffy case and that, on its own, could have been her downfall. That was because the other side immediately thought that because she was representing him, she must be a Provo. The police probably thought that too. In addition to that, she was also involved in relation to the Garvaghy Road marches.

42. Ultimately, there has not been anyone as high profile as Rosemary since her death. No-one was as high profile as her before, other than Pat Finucane. The same thing happened to him. I therefore think she was murdered because she was such a high profile solicitor.

43. Sadly, the kind of harassment which I have detailed in this statement continues today. I have recently been forced to leave my job at Craigavon Borough Council as a direct result of harassment from ex-military colleagues which caused me high blood pressure and stress.

Statement of Truth

I believe the facts stated in this witness statement are true

C150
Signed:
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C150

Dated: 05-10-2007